

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

RUDOLPH W. GIULIANI  
a/k/a Rudolph William Giuliani

Case No: 23-12055

Debtor  
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**DECLARATION OF ANDREW GIULIANI<sup>1</sup>**

I, Andrew Giuliani, hereby declare pursuant to 28 U.S.C. § 1746 that the following statements are true and correct to the best of my knowledge and belief after due inquiry as detailed herein:

1. I am the son of Rudolph W. Giuliani and the President of Giuliani Defense fund, which is an FEC political action committee ("PAC") organized on August 4, 2023, to help defray legal and other expenses for Rudolph W. Giuliani, and I have full authority to make this declaration.

2. As President of Giuliani Defense, my responsibilities include general oversight of all aspects of the PAC. Mr. Kiger and myself are the only two individuals managing the PAC. Mr. Kiger is responsible for maintaining the books and records including the issuance of checks.

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<sup>1</sup> This declaration is premised on the requirements set forth in *Lar Dan Enterprises*, where an insider third party seeks to pay counsel fees of the Debtor. There are five required representations necessary for this declaration. They include: These factors include: (1) the arrangement must be fully disclosed to the debtor/client and the third party payor/insider; (2) the debtor must expressly consent to the arrangement; (3) the third party payor/insider must retain independent legal counsel and must understand that the attorney's duty of undivided loyalty is owed exclusively to the debtor/client; (4) the factual and legal relationship among the third party payor/insider, the debtor, the respective attorneys, and their contractual arrangement concerning the fees, must be fully disclosed to the Court at the outset of the debtor's bankruptcy representation; (5) the debtor's attorney/applicant must demonstrate and represent, to the court's satisfaction, the absence of facts which otherwise create non-disinterestedness, actual conflict, or impermissible potential for a conflict of interest. *In re Kelton Motors Inc.*, 109 B.R. 641 (Bankr. D. Vt. 1989); *In re Lar Dan Enterprises, Inc.*, 221 B.R. 93, 95 (Bankr. S.D.N.Y. 1998).

I may, on occasion, receive a check and deposit it into the bank account. Wells Fargo is the sole depository for the entity. I use the title of President, but it is not an official title.

3. I understand that the Debtor is applying to this Court to retain Kenneth Caruso Law LLC ("KCL") to represent the Debtor in the appeal of *Freeman v. Giuliani, et al.*, currently pending before the United States Court of Appeals for the D.C. Circuit.

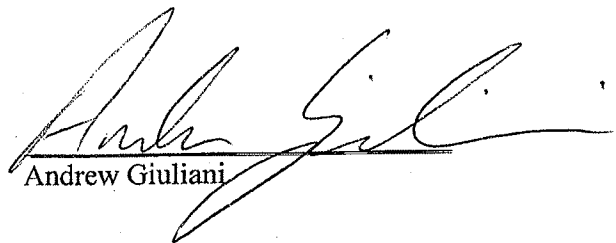
4. I fully understand that KCL's obligation is solely for the representation of the Debtor to the exclusion of any other entity or individual, including Giuliani Defense.

5. Giuliani Defense will not seek to be reimbursed in the Chapter 11 case nor will it file a claim in the Chapter 11 case for such advances of monies.

6. Giuliani Defense is not a creditor of the Debtor. Other than assisting the Debtor with payments of legal fees to KCL and other firms, Giuliani Defense has no relationship with the Debtor.

7. Giuliani Defense does not intend to bid on any assets of the Debtor and does not intend to provide any financing to the Debtor beyond the payment of legal fees to KCL or any other professionals whose retention on similar terms has been or will be approved, and from time to time may pay costs, such as, but not limited to, travel and lodging, to support the Debtor's political activities. Giuliani Defense also will not seek reimbursement for any of these payments.

8. Pursuant to 28 U.S.C. § 1746 I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

  
Andrew Giuliani

Executed on April 17, 2024